THE HON'BLE SRI JUSTICE P.S.NARAYANA

WRIT PETITION NO.17844 of 2006

DATED 28.08.2006

Between:

D.Jaihind Reddy. ……. PETITIONER

Versus

The Commissioner, Qutubullapur
Municipality, Ranga Reddy District,
and two others. …. RESPONDENTS

WRIT PETITION NO.17844 of 2006

ORDER:

Heard the learned counsel.

2. The Writ Petition is filed for a Writ of Mandamus declaring the inaction of the 1st respondent in taking action pursuant to the petitioner's representations dated 11.8.2006 and 21.8.2006 as illegal and arbitrary and pass such other suitable orders.

3. As can be seen from the representations, the dispute appears to be in relation to the easementary right. Apart from this aspect of the matter, it is stated that inasmuch as the 1st respondent-Commissioner, Qutubullapur Municipality had not taken any action, the petitioner was constrained to file a civil suit OS.No.505 of 2006 on the file of Junior Civil Judge, Ranga Reddy District at Medchal for perpetual injunction restraining the respondents 2 and 3 not to proceed with the construction and the said Court by order dated 21.8.2006 in IA.No.1639 of 2006 was pleased to direct the respondents 2 and 3 to maintain status quo until further orders. Several other factual details had also been narrated

4. In the light of the representations made and also in the light of the facts narrated and inasmuch as a civil suit OS.No.505 of 2006 on the file of Junior Civil Judge, Medchal, as between the petitioner and respondents 2 and 3 is said to be pending, liberty is given to the petitioner to implead the 1st respondent-

Commissioner, Qutubullapur Municipality also, if the petitioner is advised to do so, in the above suit. The petitioner is at liberty to move appropriate applications in the pending civil suit referred to supra.

5. With the above observation, the Writ Petition is disposed of. No costs.

28.08.2006

SSR

Issue order copy tomorrow.

(BO)